

ZB# 72-5

Mobil Oil Corp.

4-3-9.3

12-5 Mobil Oil Corp.

Mobil Oil
granted
hearing 3/3/72
file

Mobil Oil Hearing 3/3/72 File

filed
4/12/72
1:00 P.

Application for Variance 2/13/72 # 72-5
Letter from Wygant Zoning Board to Mr Tallarico 3/21/72
Letter from Orange County to Mr Wygant 3/15/72
Map No 11-757
Letter from Mobil (listing of Registered mail)
Public Notice of Hearing. published 2/24/72
Letter to Tallarico from Wygant 3/8/1972
Certified Mail to Dept. of Public Works Feb. 15, 1972
" " " Frank Schaffner Feb 15 1972
" " " Henry Stellwag Feb 15, 1972
" " " Frederick Scheible Feb. 15, 1972
" " " Barbara Conklin Feb. 15, 1972
" " " City of Newburgh Feb. 15 1972
" " " Fred Warmers Feb. 15, 1972

Application to Zoning Board of Appeals 1/28/72
Map No 3D48

Letter to Joseph Tallarico from Patricia Delio Feb 29-
1972

File TAKEN by Patricia Delio
DATE 5/9/72. 4:50 p.m.

Returned - 7/11/72 (12:20 P.M.)

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application # 72-5

Date: 2/13/72 19

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I-(WE) Mobil Oil Corporation

of P. O. Box 868

(Street & Number)

Albany, New York 12401

HURRY MAKE

9 (State)

APPLICATION FOR A VARIANCE:

A. LOCATION OF THE PROPERTY N/W/C Rt. 207 & Union Ave., OLI

(Street & Number)

(See district on Map)

B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, by number, sub-section and paragraph of the Zoning Ordinance applicable. Do not quote the ordinance: See 48-14 C Lot Depth, Front Yard, Rear Yard

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's lands, structures or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

Existing Plot of ground is limited as to depth due to proximity to lands of

N. Y. S. Thruway

2. Strict application of the provisions of the ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Despite excessive frontage, 300', existing depth is not in conformity

with Zoning Ordinance. Lands not situated in this area might be able to conform.

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because:

These lands are unique and the conditions were present since before Zoning was enacted.

4. Relief, if granted, is necessary to prevent detriment to the public good because: Development will enhance. Relief will enable this land to be

developed. Under existing regulations, no type of development possible

without variance. - Type of development is within intent of ordinance.

will be in accordance with the zone because:

OLI Zone permits service station development (subject to conditional use)

and no special privilege will inure thereto.

- D. Describe in detail how the applicant will develop the property and submit plans or sketches in duplicate.

Clear land of rocks and shrubs and level and construct a 2 bay service station.

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Board of Appeals.

- F. NOTICE OF HEARING; Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1 of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 M of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Board.

Dated: Feb 13, 1972

Signature of Applicant
Real Estate Representative

Address

Telephone No.

STATE OF NEW YORK) SS
COUNTY OF ORANGE

Sworn to on this 13 day of Feb, 1972.

PHYLLIS A. STONE
Notary Public, State of New York
Qualified in Albany County
Commission Expires March 30, 1978

Phyllis A. Stone
(Notary Public)

DO NOT WRITE IN THIS SPACE

Application No. 72-5
Date of Hearing 3/3/72
Date of Decision 3/20/72

Date Rec'd. 2/13/72
Notice Published 2/24/72

DECISION:

Granted.

Mobil Oil hearing 3/3/72 File
#72-5 Application for Variance 2/13/72
Mar 21/72 Letter from Fred Weygant Zoning
Board to Mr Tallarico.

May 15
1972 Letter from Orange County to Mr Weygant
Map No 11-757
~~Letter from Mobil at~~
Public Notice of Hearing - published
Letter to Tallarico from Fred Weygant 2/24/72
Certified Mail to Dept of Public Works March 8, 1972
Certified Mail to Frank Schaffner Feb 15, 1972
Certified Mail to Henry Stellweg Feb 15, 1972

" " " Frederick Scheible Feb 15, 1972
" " " Barbara Conklin Feb 15, 1972
" " " City of Newburgh Feb 15, 1972
" " " Fred Warmers Feb 15, 1972

Application to Zoning Board of Appeals 1/28/72
(over)

send application

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

RE: N/A/C Rt 207 & Union Ave

DATE 1/28/72

APPLICATION is hereby made for the following: ZONING BOARD of APPEALS

Agenda FEB 9, 1972 Service _____

- X 1. Name MOBIL OIL Corp
Address Box 868 ALBANY, NY * 12201
Telephone number 518 434-2111

Are you the owner of the property? NO - CONTRACT VENDEE

- X 2. Briefly describe intention (or attach) and location of property:

A. Request variance as to depth of lot (200' required)
B. Variance as to rear lot setback (50' required)
C. Area variance (80,000 sq ft. required) OLIZON

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

_____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

X I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of N.Y.

APPLICATION is hereby made for the following: ZONING BOARD OF APPEALS

Agenda FEB 9, 1972 Service _____

1. Name MOBIL OIL CORP
Address Box 868 ALBANY, NY * 12201
Telephone number 518 434-2111

Are you the owner of the property? NO - CONTRACT VENDEE

2. Briefly describe intention (or attach) and location of property:

- A. Request variance as to depth of lot (209' required)
B. Variance as to rear lot setback (50' required)
C. Area variance (80,000 sq ft. required) OLI ZONE

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting
_____ Subdivision Preliminary Meeting
_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map
_____ Variance (Notify P/B - plans if necessary)
_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed
_____ Z.B.A. action needed
_____ Site plan needed
_____ Subdivision approval needed
_____ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

Signed: _____

J. F. Farkas Real Estate Rep
(APPLICANT)

555 Union Avenue
New Windsor, N. Y.
March 8, 1972

Mr. Joseph C. Tallarico, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N. Y. 12550

RE: MOBIL OIL CORPORATION
Application for Variance -
Proposed gas station - Rt. 207 & Union Avenue

Dear Mr. Tallarico:

A Public Hearing in the above matter was held on
Monday evening, March 6th, 1972 at which time Mr. Graham
Franks appeared representing MobileOil Corporation.

Please be advised that the Zoning Board of Appeals
has deferred making decision on this application until
notification is received from the Orange County Planning Dept.

The above application was for three area variances.

Yours truly,

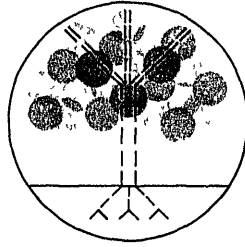
FRED WYGANT, Chairman

/pd

cc: Howard Collett, Bldg. Inspector

C
O
P
Y

Department of Planning



County of Orange

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner

The County Building
Goshen, New York 10924
(914) 294-5151

Louis V. Mills, County Executive

March 15, 1972

Mr. Fred Wygant, Jr., Chairman
Town of New Windsor Zoning Board of Appeals
Forge Hill Road
New Windsor, New York 12550

RE: Area Variance and Conditional Use - Mobil Oil
Route 207 and Union Avenue (County Road 38)

Dear Mr. Wygant:

We are in receipt of the above submission. Pursuant to the provisions of Sections 239 L and M of the General Municipal Law, we have made our review. Since site plan review and approval by the Planning Board is required, our comments relate to both the variance request before your Board and the site as well. We offer the following:

1. The specific proposal calls for the construction of a service station on a lot which, because of its configuration, results in the siting of a building not able to conform to the minimum lot depth, front yard, and rear yard requirements of 200', 100', and 50' respectively. By comparison, the applicant has 58' as a lot depth (although the mean distance from the street to the rear lot line is about 120'); 69' as a front yard; and a rear yard of about 24' (mean figure). Due to the exceptional narrowness of this lot and other lots in this area, the variance" being sought does not seem to be unreasonable. The use, however, would be detrimental to this area.

2. Union Avenue connects residential portions of the Town with the shopping centers in the Route 32-Vails Gate and the Route 17K areas and the interstate highway interchanges in the Town of Newburgh. Stewart Airport will undoubtedly generate additional volumes of traffic. As such, the road carries traffic between the two towns and may have to be widened to four lanes. It should, therefore, remain free flowing to accommodate large volumes of traffic at high speeds. Certain uses, such as the proposed service station, could cause reduced speeds, and unsafe conditions.

The County Department of Public Works, in consultation with the New York State Department of Transportation, noted that left turns into the facility be prohibited. We agree and suggest that some sort of impediment be installed to prohibit left turns. This should be

RE: Area Variance and Conditional Use - Mobil Oil
Route 207 and Union Avenue (County Road 38)

discussed with the County and, if agreeable, shown on the plan along with the other requirements of the Department of Public Works.

3. In the field, the site appeared wet. The Town Engineer, County Department of Public Works, and, perhaps, the New York State Department of Transportation should do a thorough drainage study prior to the approval of plans. Also, the proximity of the site to Lake Washington should not be overlooked since the proposed usage could increase the pollution of the lake through spillage and runoff. We would recommend that the Soil Conservation Service investigate the site to determine if the potential pollution and drainage problems could be resolved.

4. The southerly portion of the site should remain undeveloped.

5. The 12' "Mobil" sign should not be the rotating type. The location and type of signs should be clearly shown and approved by the Planning Board.

6. There should be some landscaping and plantings for screening or just decoration which would contribute architecturally to the site. This should be added to the site plan.

Although we are opposed to the proposal, we will await making a final determination until we receive information which indicates to us and the Town that the above mentioned problems have been resolved in a satisfactory way.

Very truly yours,



Joel Shaw
Senior Planner

JS/bd

cc: Joseph Tallarico
William Price
Lloyd Wright
R. M. Gardeski
C. P. Franks
Bernard Kessler
Richard Peluso



ALFRED H. PETERSON, P E
Commissioner

COUNTY OF ORANGE / Department of Public Works

ROUTE 17-M P O BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-6119

March 8, 1972

Re: Mobil Station
County Road No. 38 and N. Y. Rte. 207

Orange County Department of Planning
County Government Center
Goshen, New York 10924

Gentlemen:

A recent inspection in the company of members of the New York State Regional Traffic Engineer's office revealed certain aspects which are to be considered for this proposal.

These comments are included herewith and reflect part of our interest which we believe to be the town's interest as well.

The design for drainage and lot setback from the centerline of the County road do not meet with our approval as submitted.

Very truly yours,

ALFRED H. PETERSON,
Commissioner of Public Works

DGL:rmh
Encls.

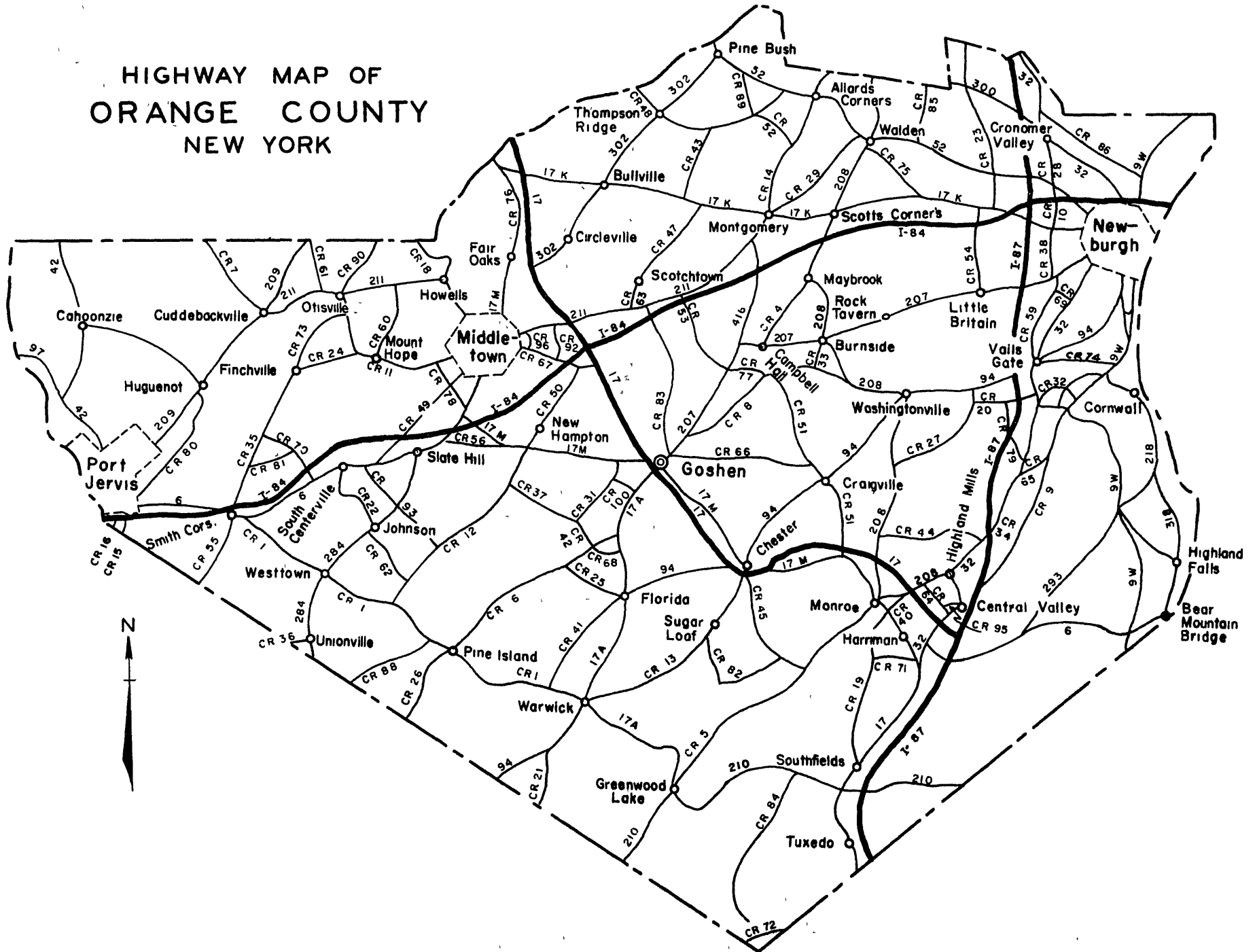
By:

William C. Price, Sr.
William C. Price, Sr.,
Senior Engineer

CC w/Encls.:

- ✓ Zoning Board, Town of New Windsor
- Planning Board, Town of New Windsor

HIGHWAY MAP OF
ORANGE COUNTY
NEW YORK



NEW YORK STATE
DEPARTMENT OF TRANSPORTATION



Region 8 Office: 4 Burnett Boulevard, Poughkeepsie, New York 12603

March 6, 1972

Mr. William C. Price, Sr.
Department of Public Works
County of Orange
Route 17M, PO Box 509
Goshen, New York 10924

Access Drives
Mobil Station
County Road No. 38 (Union Ave.)
and Rt. 207

Dear Mr. Price:

Relative to our joint field review of the subject site on March 2, 1972, we offer the following comments.

Due to the heavy traffic volume on Union Avenue which produces at peak hour stacking in both southbound lanes well beyond the proposed access points, we would strongly recommend that any permit issued include the stipulation that left turns into the proposed facility be prohibited at such times as conditions warrant. It would be the decision of the local authority to even determine if this prohibition should be effective from the very inception of the permit.

We would also recommend that any permit stipulate that the area adjacent to the site, noted on the plan to be graded and seeded, not be further developed in the future due to its proximity and potentially damaging effect to this extremely busy intersection.

A thorough drainage investigation should also be considered prior to any access site approval since the plan depicts the total drainage flow southward to an existing 18" concrete culvert which transmits the runoff beneath Union Avenue. Due to the steep slopes immediately adjacent west of the proposed site and the large paved area proposed, runoff will be substantial, and it is questionable whether the present culvert is sufficient.

The investigation of the intersection of County Road #69, Part 1 and Park Hill Road revealed, we believe, inadequate justification for a signal installation. At this time, it does not appear that the service volume of Park Hill Road is at a sufficient level to warrant signal control.

We would, however, suggest the utility pole at the intersection be relocated so as not to hinder sight distance along the County road. In addition, it would be pertinent to obtain the accident history for the site from the appropriate authorities in order to objectively review all aspects of the situation.

Mr. William C. Price, Sr.
March 6, 1972
Page 2

We are appreciative of the opportunity to assist the County in any area of transportation engineering to ensure safe and efficient use of public highways.

Sincerely yours,

R. M. GARDESKI
Regional Traffic Engineer

By *JWW*
J. W. WICKERI
Asst. Civil Engineer

JWW/EDF/HW

CC: H. Moores, Highway Maintenance Group

Mobil

~~XXXXXXXXXXXXXXX~~

ALL LETTERS ARE REGISTERED MAIL - RETURN RECEIPT REQUESTED

Mrs. Barbara Conklin
425 Carpenter Ave.
Newburgh, N. Y. 12550

Section 4
Block 1
Lot 9.242

Mr. Frank Schaffner
Little Brittain Rd.
Newburgh, N. Y. 12550

Section 4
Block 1
Lot 10

City of Newburgh
Newburgh, N. Y. 12550

Section 4
Block 3
Lot 1.1

State of New York
Department of Public Works
Albany, N.Y.

Section 3
Block 1
Lot 34

Henry & Helena Stellwag
79 D'Alfano Rd.
MD 29
Newburgh, N. Y. 12550

Section 3
Block 1
Lots 18 & 19

Mr. Fred D. Warmers
P.O. Box 148
Newburgh, N.Y. 12550

Section 3
Block 1
Lot 20

Frederick Scheible
MD 29
Little Brittain Rd.
Newburgh, N.Y. 12550

Section 32
Block 2
Lot 31

7 Franklin Avenue
New Windsor, N. Y.
February 29, 1972

C
O
P
Y

Joseph Tallarico, Chairman
New Windsor Planning Board
555 Union Avenue - Town Hall
New Windsor, N. Y. 12550

Re: Public Hearings
Mobil Oil Company

Dear Joe:

Enclosed please find copy of application for a
variance and conditional use together with a copy of the
public hearing notice.

The above hearing will take place on Monday,
March 6, 1972 at 8 p.m.

Sincerely,

PATRICIA DELIO, Secretary

/pd

Encs.

cc: Howard Collett, Bldg. Inspector
Theodore F. Marsden, Supervisor

**PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 5

Request of Mobil Oil Corporation for a Variance of the regulations of the Zoning Ordinance, to permit Construction of Service Station, being a Variance and Conditional Use Permit of Article 14, Section 14C and 48-9B 11, for property owned by him situated as follows: N/W/C Rt. 207 and Union Ave.

Said Hearing will take place on the 6th of March, 1972, at the Town Hall, 555 Union Ave., New Windsor, N. Y., beginning at 8 o'clock P.M.

**Fred Wygant,
Chairman**

Published on 2/24/72.

Forge Hill Rd.
New Windsor, N. Y.
March 21, 1972

Joseph C. Tallarico, Chairman
New Windsor Planning Bd.
555 Union Avenue
New Windsor, N. Y. 12550

RE: MOBIL OIL CORPORATION
Application for Variance - Rt. 207 & Union Ave.

GUILLOTIN, INC. - addition of boiler room
Vails Gate Branch-Broadway Bakery

Dear Mr. Tallarico:

The Zoning Board of Appeals, at its March 20th meeting, voted to grant both variances above as follows:

Three variances were granted to Mobil Oil Corp. -

1. 32 ft. frontyard set back variance
2. 58 ft. lot depth variance
- 345 ft. rear yard variance

Motion to grant a variance to John Guillotin to add a boiler room to his operation at Vails Gate was also made at the above meeting.

Yours truly,

FRED WYGANT, Chairman

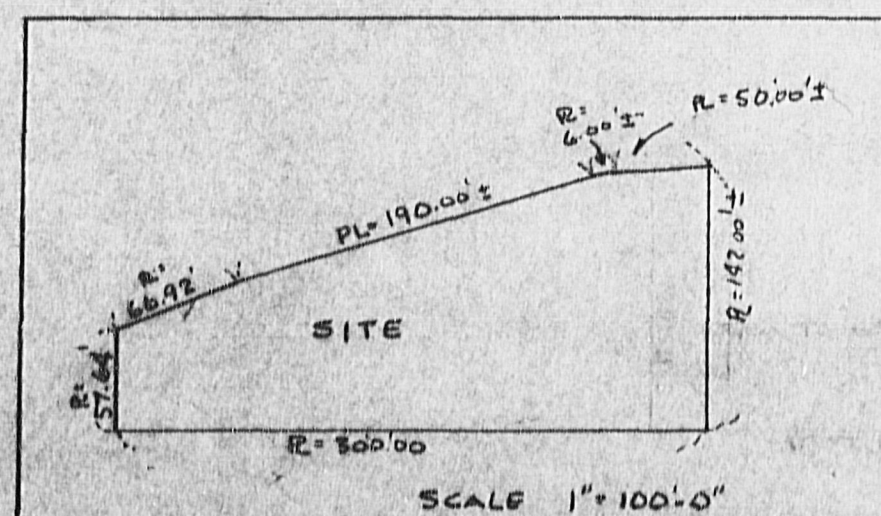
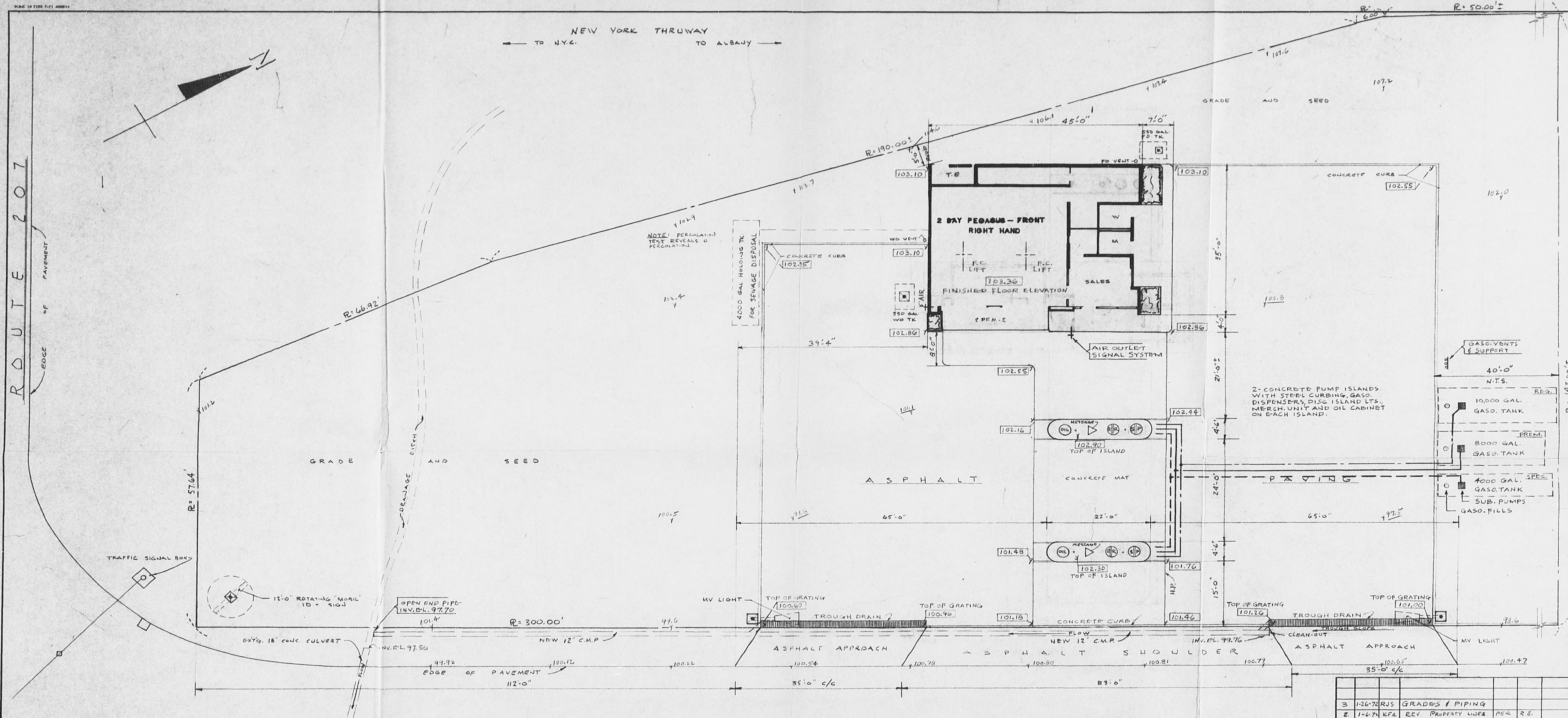
/pd

cc: Howard Collett, Bldg. Inspector

C
O
P
Y

ROUTE 207

NEW YORK THRUWAY
TO N.Y.C. TO ALBANY



GENERAL NOTES

- ALL WORK SHOWN TO BE NEW UNLESS NOTED OTHERWISE.
- ALL WORK TO CONFORM TO RULES & REGULATIONS OF ALL APPROVING AUTHORITIES.
- DEPTH OF FOUNDATION TO BE DETERMINED BY FIELD.

GRADE LEGEND

- 100.00 = EXISTING GRADE TO REMAIN.
- 100.00 = EXISTING GRADE TO BE CHANGED.
- 100.00 = NEW GRADE ELEVATION.

NO.	DATE	BY	DESCRIPTION	CHK'D	CERT.	APP'D
3	1-26-72	RJS	GRADES & PIPING			
2	1-6-71	KFA	REV PROPERTY LINES	PER	RE.	
1	1-3-72	KER	REV BLDG PER. R.E.			
ISSUE						
MOBIL OIL CORPORATION NEW YORK STATE DIVISION MARKETING DEPARTMENT 670 WHITE PLAINS ROAD SCARSDALE, N. Y. 10583						
PLOT PLAN						
DEVELOPMENT OF SERVICE STATION N/E/C ROUTE 207 & UNION AVE. NEW WINDSOR, N.Y.						
DRAWN BY K. RONNER - CHECKED BY			SCALE 1" = 10'-0"			
DATE STARTED			DATE COMPLETED 12-13-71			
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR FOR ORDERING MATERIAL UNLESS CERTIFIED AND DATED						CERTIFIED DATE 11-757
APPROVALS						SHEET NO.
DWG. NO. 11-757						1 OF 1

Paul S. Weiss